

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 29, 1953. Default decree of condemnation and destruction.

**20769. Adulteration of canned diced carrots and canned pimentos. U. S. v. 16 Cases, etc. (F. D. C. No. 35048. Sample Nos. 46786-L, 46789-L.)**

**LIBEL FILED:** May 20, 1953, Southern District of Mississippi.

**ALLEGED SHIPMENT:** On or about January 23 and March 28, 1951, from New Freedom, Pa., and Brownsville, Tex.

**PRODUCT:** 16 cases, each containing 48 8¼-ounce cans, of diced carrots, and 26 cases, each containing 48 4-ounce cans, of pimentos, at Pascagoula, Miss.

Examination showed that the products had undergone chemical decomposition.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 19, 1953. Default decree of condemnation and destruction.

**20770. Misbranding of canned button mushrooms. U. S. v. 5 Cases \* \* \*. (F. D. C. No. 35039. Sample No. 58223-L.)**

**LIBEL FILED:** May 12, 1953, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about March 2, 1953, by Superior Canning Co., Inc., from Avondale, Pa.

**PRODUCT:** 5 cases, each containing 24 cans, of button mushrooms at Milwaukee, Wis.

**LABEL, IN PART:** (Can) "Superior Brand Drained Weight 16 Ounces Pennsylvania Cultivated Mushrooms Fancy Buttons."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Mushrooms Fancy Buttons" and the vignette on the label depicting fancy button mushrooms were false and misleading as applied to button mushrooms which were not fancy because of excessive blemished units and excessive open veil units; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short in drained weight.)

DISPOSITION: September 30, 1953. Default decree of condemnation. On October 16, 1953, the court ordered that the product be delivered to a Federal hospital, for consumption by the patients.

**20771. Adulteration of olives. U. S. v. 51 Cartons, etc. (F. D. C. No. 35474. Sample Nos. 55898-L, 55899-L.)**

**LIBEL FILED:** September 4, 1953, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 8, 1953, by the South Shore Sales Co., from Vermilion, Ohio.

**PRODUCT:** 51 cartons, each containing 12 21-ounce jars, and 72 cartons, each containing 12 13-ounce jars, of olives at New Castle, Pa.

**LABEL, IN PART:** (Jar) "Spanish Girl Olives For Salads."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and insect-damaged olives.

**DISPOSITION:** September 25, 1953. Default decree of condemnation and destruction.

**20772. Adulteration of olives. U. S. v. 23 Cases \* \* \*. (F. D. C. No. 35458. Sample No. 58333-L.)**

**LIBEL FILED:** August 18, 1953, Western District of Michigan; amended libel filed August 19, 1953.

**ALLEGED SHIPMENT:** On or about June 8, 1953, by the South Shore Packing Corp., from Vermilion, Ohio.

**PRODUCT:** 23 cases, each containing 4 jars, of olives at Holland, Mich.

**LABEL, IN PART:** (Jar) "South Shore Contents 1 Gallon Olives For Salads."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and insect-damaged olives.

**DISPOSITION:** October 13, 1953. Default decree of condemnation and destruction.

**20773. Misbranding of canned black-eyed peas. U. S. v. 173 Cases \* \* \*. (F. D. C. No. 34990. Sample No. 62621-L.)**

**LIBEL FILED:** April 8, 1953, Western District of Kentucky.

**ALLEGED SHIPMENT:** February 4, 1953, by the Ozark Packing Co., from Ozark, Ark.

**PRODUCT:** 173 cases, each containing 24 cans, of black-eyed peas at Paducah, Ky.

**LABEL, IN PART:** (Can) "Pride of Ozark Brand Fresh Shelled Blackeye Peas Contents 15½ Oz. Avoir."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the article was short weight.)

**DISPOSITION:** August 5, 1953. The Ozark Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

**20774. Adulteration of frozen spinach. U. S. v. 185 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 34976, 35269, 35301. Sample Nos. 50879-L, 50880-L, 51367-L, 51368-L.)**

**LIBELS FILED:** April 23, May 25, and June 11, 1953, District of New Jersey.

**ALLEGED SHIPMENT:** On or about February 10, 13, 16, and 24, 1953, by the Southland Frozen Foods, from Plant City, Fla.

**PRODUCT:** 2,392 cases, each containing 24 14-ounce packages, of frozen spinach at Jersey City, N. J.

**LABEL, IN PART:** (Carton) "Asco Ideal Brand Chopped Spinach."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of a substantial amount of extraneous material.